

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 26, 2002**

DIVISION ONE

B142762 People (Not for Publication)  
v.  
Moreland

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

B152406 County of Los Angeles Sheriff's Department (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Earl K. Young, r.p.i.)

Let a peremptory writ of mandate issue, commanding respondent superior court to vacate its order of August 17, 2001, granting real party in interest's motions of July 2 and July 23, 2001, pursuant to *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, and to enter a new and different order denying said motions. The temporary stay order issued in this matter on August 24, 2001, is dissolved.

Mallano, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

March 26, 2002-Continued

## DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

DIVISION TWO

B141060      Torrance Memorial Medical Center      (Not for Publication)  
v.  
Toshiba America Medical Systems, Inc., et al.

The judgment is affirmed with directions to the trial court to determine the amount of attorney fees to be awarded Torrance Memorial Medical Center for legal services rendered on this appeal. Torrance Memorial Medical Center shall recover its costs of appeal.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

## DIVISION THREE

B149165 People (Not for Publication)  
v.  
Francisco D.

The order is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

### DIVISION THREE (Continued)

[illegible]

The judgments are affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

B143216      Stevenson      (Not for Publication)  
v.  
Huntington Memorial Hospital

The judgment is affirmed. Each party to bear their own costs.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

B149583 Diaz (Not for Publication)  
v.  
Chavez et al

The judgment is reversed. The trial court is directed to determine the amount of lost profits in a manner consistent with this opinion and enter a new judgment awarding that amount in addition to the other amounts previously awarded. The parties shall bear their own costs on appeal.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

### DIVISION THREE (Continued)

B153371      Martin R.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Department of Children & Family Services , r.p.i.)

The petition for extraordinary relief is denied.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

## DIVISION FOUR

B147906 Ete Mensucat Sanayi Ve Ticaret Not for Publication)  
v.  
Pacific Printex Corporation

The judgment is modified by deleting \$183,751.29 as the amount of Ete's breach of contract damages award and substituting therefor \$183,743.88. In all other respects, the judgment is affirmed. Each party to bear its own costs on appeal.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

DIVISION FIVE

B151448 People (Not for Publication)  
v.  
Alejandro Rivera

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                      Grignon, J.

DIVISION FIVE (Continued)

B149901 Charles Featherson, as Administrator, etc. (Not for Publication)  
v.  
Mary Jean Featherson

The order granting the petition is affirmed. Charles Featherson, as administrator of the estate of Marie Featherson, shall recover his costs on appeal from objector, Mary Jean Featherson.

Turner, P.J.

We concur: Armstrong, J.  
Mosk, J.

B145284 So Tang (Not for Publication)  
v.  
Hsin M. Tang et al.

The appeal is dismissed. Each side is to bear their own costs on appeal.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

B155263 People (Not for Publication)  
v.  
Gregory Gadlin

The appeal is dismissed.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

DIVISION FIVE (Continued)

B137351 FSPF Limited Partnership et al. (Not for Publication)

v.

LeBoeuf, Lamb, Greene & MacRae et al.

B146610 LeBoeuf, Lamb, Greene & MacRae

v.

Greensfelder, Hempker & Gale

The judgment is affirmed. Defendants, LeBoeuf, Lamb, Greene & MacRae and Cox, Castle & Nicholson, are entitled to costs on appeal jointly and severally from plaintiffs: FSPF Limited Partnership; First Plaza Partners; BPG First Street Limited Partnership; McCarthy First Street Limited Partnership; First Street Enterprise, Inc.; BPG First Street Inc.; McCarthy Properties, Inc.; Obayashi American Corporation; McCarthy Western Constructors, Inc.; Barker-Patrinely Group; OC America Construction, Inc.; and McCarthy Brothers Company. The appeal of cross-complainant, LeBoeuf, Lamb, Greene & MacRae, from the order dismissing the cross-complaint after the sustaining of the demurrer without leave to amend is dismissed as moot. As to the appeal involving the cross-complaint, each side is to bear its own costs on appeal.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

DIVISION SIX

B147899 Ogilvie et al. (Not for Publication)

v.

Mail Boxes Etc., USA, Inc., et al.

The judgment is affirmed. Costs to respondents.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

March 26, 2002-Continued

DIVISION SIX (Continued)

B151621 People (Not for Publication)  
v.  
Martinez

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The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

[illegible]

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

B150346 People (Not for Publication)  
v.  
Morris

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

DIVISION EIGHT

Court convened at 9:00 A.M.

Present: Cooper, P.J., Rubin, J., Boland, J., Johnson, J., (Assigned) and Connie Hon, Deputy Clerk.

Each of the following:

B151652 DCFS v. Denise C.  
B152443 DCFS v. Eula W.  
B151324 People v. Mark  
B150255 People v. Oswaldo P.  
B151336 Newwest Mortgage Co. v. Home Loan Mortgage  
B140186 Felman v. Fuote  
B148159 People v. Faniel  
B148913 DCFS v. Lisa C.  
B149592 People v. Walker  
B151889 DCFS v. Tonia K.

Argument waived, cause submitted.

B146920     People  
              v.  
              Wilson

Merits:

Argued by Jerome Wallingford for appellant and by Ana R. Duarte, deputy attorney general, for respondent. Cause submitted.

B146608     American Privacy Management, Inc. et al.  
              v.  
              Research & Technology International, Ltd.

Merits:

Argued by Lawrence Washor for appellant and no appearance for respondent. Cause submitted.



DIVISION EIGHT (Continued)

B149403     People  
              v.  
              Murphy

Merits:  
Argued by Carol Boyk for appellant and by Rama Maline, deputy attorney general, for respondent. Cause submitted.

B147829     People  
              v.  
              Stewart

Merits:  
Argued by Richard Doctoroff for appellant and by Chung L. Mar, deputy attorney general, for respondent. Cause submitted.

B147589     Stokes  
              v.  
              California Horse Racing Board

Merits:  
Argued by Thomas Scheerer, deputy attorney general, for appellant and by Jay Coggan for respondent. Cause submitted.

B151008     Stein  
              v.  
              Stein

Merits:  
Argued by John Antoni for appellant and by Thomas Dunlap for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B147479     Parker-Kane  
              v.  
              Brandler

Merits:  
Argued by John Birke for appellant and by Michael Taylor for respondent.  
Cause submitted.

B150309     Gills  
              v.  
              Great Central Transport, Inc.

Merits:  
Argued by Robert Scuderi for appellant and by Linda Allderdice for  
respondent. Cause submitted.

B131268     Post  
              v.  
              Turner et al.  
              Rockwell International Corporation

Merits:  
Argued by Lloyd Ownbey, Jr. for appellant, by Barbara E. Johnson for  
respondent Rockwell International Corporation and by Eva Halbreich for  
respondents Turner et al. Cause submitted.

B141282     Arlok  
              v.  
              Ameritech et al.

Merits:  
Argued by Lorraine Howell for appellant, by Stephen McClain for  
respondents Ameritech et al., by Nicole M. Duckett for respondent  
Bloomingdale's Real Estate and by Stephen Anderson for respondent  
Cannon. Cause submitted.

Court recessed at 11:59 A.M.

DIVISION EIGHT (Continued)

Court reconvened at 1:00 P.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Connie Hon, Deputy Clerk.

B147169     Leibovic et al.  
              v.  
              Nationwide Mutual Insurance Company et al.

Merits:  
Argued by David Gernsbacher for appellants and by Mark R. Israel for respondents. Cause submitted.

B152111     Fukutaki  
              v.  
              Jacky et al.

Merits:  
Argued by Miriam Wu for appellant and by Thomas Keiser for respondents. Cause submitted.

B135112     Jones et al.  
              v.  
              Hirschberger et al.  
              Hellerman et al.

Merits:  
Argued by Jacqueline Mangum for appellants, by Scott Seiden for respondents Hirschberger et al. and by Kevin Louth for respondents Hellerman et al. Cause submitted.

Court adjourned at 2:19 P.M.

## March 26, 2002-Continued

## DIVISION EIGHT (Continued)

B148376 People (Not for Publication)

V.

Mauro Rodriguez Garcia

The Court:

The judgment is affirmed.

Cooper, P.J., Rubin, J., Boland, J.

B152600 People (Not for Publication)

V.

Victor Marvin Robinson

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B148925 Edmond A. Adaimy et al. (Not for Publication)

V.

Alberstone &amp; Evangelators et al.

The judgment is affirmed. Respondents to recover costs on appeal.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.